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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/084,538	02/26/2002	Hirotooshi Ichikawa	02123/LH	7722
1933	7590	01/02/2004	EXAMINER	
FRISHAUF, HOLTZ, GOODMAN & CHICK, PC 767 THIRD AVENUE 25TH FLOOR NEW YORK, NY 10017-2023			WARD, AARON S	
			ART UNIT	PAPER NUMBER
			2675	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/084,538

Applicant(s)

ICHIKAWA, HIROTOSHI

Examiner

Aaron S. Ward

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 June 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5. 6) ☐ Other: _____

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Objections

2. Claims 1 and 11 are objected to because of the following informalities: lines 20-21 of claims 1 and 11 recite "one of the image display device," but only one image display device is disclosed. Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 2, 4-7, 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jachimowicz et al. in view of Shirakawa.

As to claim 1, Jachimowicz et al. teaches a mobile information terminal apparatus 10 including a first body 12 (Figure 1) and a second body 11 pivotably supported. The mobile terminal 10 has an image display section 13 having an image display device 35 (Figure 4), a magnifying optical part 20 (Figure 3) and an observation window 22 (Figure 2) on the first body 12. Jachimowicz et al. teaches an operation section 21 (Figure 4) on the first body 12 (i.e.,

operation section 21 operates to process input signals to produce a desired image; column 3, lines 46-57), and a display section 16 on the second body (column 2, lines 58-60) having lower resolution than image display section 13.

Jachimowicz et al. does not teach at least one pointing device or that the at least one pointing device and observation window face outside when the second body is in the closed position.

Shirakawa teaches a mobile terminal having first and second bodies pivotably supported and including at least one pointing device 13, 23, 26 (Figures 1A and 1B) and an observation window 12 disposed so as to face toward the outside when the first and second bodies are closed.

It would have been obvious for one of ordinary skill in the art to combine the teaching of Shirakawa with that of Jachimowicz et al. to provide the convenience of visibly observing the Jachimowicz et al. display and scrolling information programmed within the Jachimowicz et al. mobile terminal while it was closed, as taught by Shirakawa (column 2, line 57 – column 3, line 7).

As to claim 2, Jachimowicz et al. teaches that the image display section 13 is built in at least one of the first body 12 and the second body 11.

As to claim 4, Shirakawa teaches that the pointing device 13 (Figure 1A) is disposed on the back surface of the first body 11.

As to claim 5, Shirakawa teaches that the pointing device (Figure 3A; non-labeled elongated circle corresponding to the pointing device 13 of Figure 1A) is disposed on the back surface of the second body 42 (Figure 3B).

As to claim 6, Shirakawa teaches that the pointing device (Figure 3A) has a main operation member 47 and a subordinate operation member (Figure 3A) on the back surface of the second body 42 (Figure 3B), and a connecting member (Figure 3B), which connects the subordinate and main operation members interlocked with each other.

As to claim 7, Shirakawa teaches side surfaces of the first and second bodies, and that the pointing device 23 (Figure 1A) is disposed on the side surface of the first or second body.

As to claim 9, Jachimowicz et al. teaches that the magnifying optical part 20 has a free shaped surface optical device 28 (Figure 3).

As to claim 10, Jachimowicz et al. teaches that the magnifying optical part 20 has a free shaped surface prism 24 (Figure 3).

5. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jachimowicz et al. and Shirakawa as applied to claim 1 above, and further in view of Song et al. (already of record).

Jachimowicz et al. and Shirakawa teach the claimed mobile terminal, but do not teach that the image display section is detachably supported.

Song et al. teaches a mobile terminal 10 (Figure 1A) having an image display section 12 detachably supported.

It would have been obvious for one of ordinary skill in the art to combine the teaching of Song et al. with that of Jachimowicz et al. and Shirakawa for the convenience of providing a hand-held visual display as taught by Song et al.

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6. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jachimowicz et al. and Shirakawa as applied to claim 1 above, and further in view of Iwata et al. (U.S. Patent No. 6,009,338).

Jachimowicz et al. and Shirakawa teach the claimed mobile terminal, but do not teach an opening going through the second body.

Iwata et al. teaches a mobile terminal 1 (Figures 19-20) having a first body 1 and a second body 7. The first body 1 has an observation window 20 on its front surface. The second body 7 has an opening 65 (column 22, lines 55-60; opening 65 is constructed by cutting-out body 7) through its front surface to its back surface, which opposes the observation window 20, and the observation window 20 faces outside from the opening 65, when the bodies are closed.

It would have been obvious for one of ordinary skill in the art to combine the teaching of Iwata et al. with that of Jachimowicz et al. and Shirakawa to provide the convenience of viewing the user interface while the bodies are closed for durability as taught by Iwata et al.

7. Claims 11, 12, 14-17, 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wright et al. (already of record) in view of Shirakawa.

As to claim 11, Wright et al. teaches a mobile terminal apparatus including a first body 10, 12 (Figure 1) and a second body (not labeled) pivotably supported thereon. The mobile terminal has an image display section 16 having an image display device 22 (Figure 5), a magnifying optical part 24 and an observation window 28 on the first body 10, 12. Wright et al. teaches an operation section (Figure 1; ear speaker, not labeled) on the second body (i.e., the operation section operates to process audio signals to produce sound for operating the mobile

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apparatus), and a display section 10 on the first body having lower resolution than image display section 16. The observation window 28 (Figure 5) of the image display section 16 is disposed to face outside when the first and second bodies are closed.

Wright et al. does not teach at least one pointing device that faces outside when the second body is in the closed position.

Shirakawa teaches a mobile terminal having first and second bodies pivotably supported and including at least one pointing device 13, 23, 26 (Figures 1A and 1B) disposed so as to face toward the outside when the first and second bodies are closed.

It would have been obvious for one of ordinary skill in the art to combine the teaching of Shirakawa with that of Wright et al. to provide the convenience of scrolling information programmed within the Wright et al. mobile terminal while it was closed, as taught by Shirakawa (column 2, line 57 – column 3, line 7).

As to claim 12, Wright et al. teaches that the image display section 16 is built in at least one of the first body 10, 12 and the second body.

As to claim 14, Shirakawa teaches that the pointing device 13 (Figure 1A) is disposed on the back surface of the first body 11.

As to claim 15, Shirakawa teaches that the pointing device (Figure 3A; non-labeled elongated circle corresponding to the pointing device 13 of Figure 1A) is disposed on the back surface of the second body 42 (Figure 3B).

As to claim 16, Shirakawa teaches that the pointing device (Figure 3A) has a main operation member 47 and a subordinate operation member (Figure 3A) on the back surface of the

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second body 42 (Figure 3B), and a connecting member (Figure 3B), which connects the subordinate and main operation members interlocked with each other.

As to claim 17, Shirakawa teaches side surfaces of the first and second bodies, and that the pointing device 23 (Figure 1A) is disposed on the side surface of the first or second body.

As to claim 19, Wright et al. teaches that the magnifying optical part 24 has a free shaped surface optical device 28 (Figure 5).

As to claim 10, Wright et al. teaches that the magnifying optical part 24 has a free shaped surface prism 24 (Figure 5).

8. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wright et al. and Shirakawa as applied to claim 11 above, and further in view of Song et al.

Wright et al. and Shirakawa teach the claimed mobile terminal, but do not teach that the image display section is detachably supported.

Song et al. teaches a mobile terminal 10 (Figure 1A) having an image display section 12 detachably supported.

It would have been obvious for one of ordinary skill in the art to combine the teaching of Song et al. with that of Wright et al. and Shirakawa for the convenience of providing a hand-held visual display as taught by Song et al.

9. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wright et al. and Shirakawa as applied to claim 11 above, and further in view of Iwata et al.

Wright et al. and Shirakawa teach the claimed mobile terminal, but do not teach an opening going through the second body.

Iwata et al. teaches a mobile terminal 1 (Figures 19-20) having a first body 1 and a second body 7. The first body 1 has an observation window 20 on its front surface. The second body 7 has an opening 65 (column 22, lines 55-60 describe opening 65 constructed by cutting-out body 7) through its front surface to its back surface, which opposes the observation window 20, and the observation window 20 faces outside from the opening 65, when the bodies are closed.

It would have been obvious for one of ordinary skill in the art to combine the teaching of Iwata et al. with that of Wright et al. and Shirakawa to provide the convenience of viewing the user interface while the bodies are closed for durability as taught by Iwata et al.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Richard et al. (U.S. Patent No. 5,818,634) teaches a mobile terminal having dual mode optics having a high resolution visual display for high information content (e.g., images/graphics and long/multi-line messages) and a low resolution visual display for simple interaction (e.g., a phone number, date/time stamp, or other short/single-line message). See column 12, lines 49-63.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron S. Ward whose telephone number is (703) 305-8992. The examiner can normally be reached on Monday - Friday, 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven J. Saras can be reached on (703) 305-9720. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

ASW


CHANH NGUYEN
PRIMARY EXAMINER